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July 3, 2025

**Via ECF**

Honorable Kenneth M. Karas, U.S.D.J.  
United States District Court – Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

**Re: DAWSON v. CHARLES CAPASSO & SONS CARTING INC. et al.**  
**7:25-cv-03223-KMK**  
*Letter Motion for Referral to Mediation & Adjournment of Initial Conference*

Dear Judge Karas:

We represent Defendants in the above-titled action. Having received the Court's Order setting an Initial Conference and requiring submission of a Case Management Plan, (ECF No 12), we write respectfully and jointly with counsel for Plaintiff to request a referral to the Southern District's Alternative Dispute Resolution program pursuant to the Second Amended Standing Administrative Order in Counseled Employment Cases Assigned to Mediation by Automatic Referral, 11 Misc. 003 (Oct. 15, 2015) (the "Standing Order").

If referred by the Court, the parties intend to facilitate settlement discussions by complying with the Pilot Discovery Protocols for Counseled Employment Cases set forth in the Standing Order. We are hopeful that a referral will enable the parties to engage in early and targeted discussions regarding the potential for a negotiated resolution of this dispute.

Given the above request for mediation, the parties would also respectfully request that the July 23, 2025 initial conference be adjourned to a date after the parties' scheduled mediation that is most convenient to the Court pursuant to Rules 1.B and C of Your Honor's Individual Rules of Practice in Civil Cases. Furthermore, counsel for Plaintiff is scheduled to commence trial on July 23, 2025, in the United States District Court, Eastern District of Virginia. The parties' requests do not affect any other scheduled dates in the case. This is Defendant's first such request, and it is made on consent of Plaintiff's counsel. We thank Your Honor for the attention to and consideration of this request.

Both requests are granted. The Court  
will refer the case to the ADR program.

The conference is adjourned to  
10/29/25, at 10:30

Respectfully,

/s/ Arsenio D. Rodriguez  
Arsenio D. Rodriguez, Esq.

So Ordered,

cc: All counsel of record via ECF

7/7/25